

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

David Silva

Chapter Debtor

Case No. 18-43866-cec

Chapter 13

Hon. Carla E. Craig

MOTION TO EXTEND AND CONTINUE THE AUTOMATIC STAY

SCOTT J. GOLDSTEIN, ESQ., of the Law Offices of Scott J. Goldstein, LLC, attorneys for the Debtor, David Silva, respectfully moves this Court as follows:

1. I am an attorney at law licensed to practice before the Courts of the State of New York and admitted to practice before this Court.
2. I am a member of the Law Offices of Scott J. Goldstein, LLC, counsel the Debtor in this case. I am the attorney with primary responsibility for this matter and, as such, I am familiar with the facts and circumstances of this matter based on the files maintained by my office.
3. I submit this application on behalf of this Debtor to extend and continue the automatic stay herein, to the extent it is necessary to do so.
4. The debtor filed a prior case on February 2, 2018, case No. 18-40649, which was dismissed by Order dated June 8, 2018, following a hearing on the Trustee's written motion to dismiss on May 31, 2018.
5. The Debtor filed the within case on June 30, 2018. Thus there has been one case pending within the prior year that was dismissed.
6. The Automatic stay is scheduled to terminate pursuant to 11 U.S.C. §362(c)(3), on July 30, 2018, unless this Court after notice and application finds that the petition was filed in good faith as to all creditors and extends the stay.

7. As set forth in the annexed declaration of the Debtor, the Debtor is now in a position to comply with all trustee requirements. He is ready, and has the funding to pay the required Plan payments to his creditors and the Trustee,
8. The Debtor therefore respectfully requests that this Court issue an Order extending and continuing the automatic stay as to all creditors of the Debtor until this Court issues a discharge herein, as the Debtor is proceeding in good faith as to the Creditors upon whom the Stay is sought to be applied.

WHEREFORE, the Debtor respectfully requests that the Court grant this application, together with such other and further relief as is just and proper under the circumstances.

Dated: **Denville, NJ**
 July 13, 2018

/s/Scott J. Goldstein
SCOTT J. GOLDSTEIN